



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Teodulo AVES et al.  
Serial No.: 09/994,320  
Filed : November 26, 2001  
Title : MEDICAL NEEDLE

Art Unit : 3763  
Examiner : Ann Y. Lam

Assistant Commissioner for Patents  
Washington, DC 20231

T-H.  
10-16-02  
#6/leg  
for  
leen  
**RECEIVED**  
OCT 15 2002

TECHNOLOGY CENTER R3700

**REPLY UNDER 37 CFR § 1.111**

Dear Sir:

In response to the Office Action dated July 5, 2002, please reconsider the application in view of the following remarks.

**REMARKS**

**I. Disposition of Claims:**

Claims 1-21 are pending in the application. Claims 1, 8, 16, and 17 are independent claims. Claims 1-21 stand rejected.

**II. 35 U.S.C. § 102 Rejections:**

A. Claims 1-6, 8-15, and 18 are rejected as being anticipated by McKernan et al. U.S. Patent No. 6,283,948 ("the McKernan patent"). This rejection is respectfully traversed.

The present invention relates to a medical needle having a cutting edge (or cutting surface) at the distal end of the needle. Claims 1, 8, and 17 of the present application each recite a needle having either a hollow shaft or a lumen, and a cutting surface at the distal end. A hollow shaft or lumen is not a groove and cannot be open along its entire length. Advantageously, the cutting edge (or cutting surface) of the needle of the invention is located at the bottom side of the hollow shaft at the distal end such that when in use, the cutting edge is parallel to the dural or other body fibers so as to minimize damages to these fibers. (Specification, p. 6, ¶ 18 and 21).